

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

| | | |
|--------------------------|---|---------------|
| CLAUDE EDWARD ISBELL |) | |
| |) | No. 1-12-0034 |
| v. |) | |
| |) | |
| UNITED STATES OF AMERICA |) | |

ORDER

Pursuant to the order entered July 2, 2012 (Docket Entry No, 14), counsel for the parties called the Court on November 6, 2012, at which time the following matters were addressed:

1. The depositions of the plaintiff and the postal driver have been taken. The plaintiff has provided the defendant with past medical records and a release for the defendant to obtain more recent medical records, particularly relating to the plaintiff's eye issues.

The parties expect to be able to stipulate to the medical records.

2. The parties expect to take the depositions of the plaintiff's treating physicians, although plaintiff anticipates taking the deposition of the surgeon who performed the rotator cuff surgery for proof. Thereafter, the defendant will determine whether or not to schedule an IME, and the parties will be in a better position to evaluate the case for purposes of settlement.

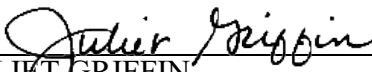
3. The parties agreed that, in lieu of using an accident reconstructionist, the parties will simply take measurements at the scene of the accident and they expect to be able to enter into a stipulation thereafter.

4. Defendant's counsel advised that the defendant would not file any dispositive motion.

5. The December 31, 2012, deadline for completion of all discovery is extended to February 28, 2013, for the purpose of completing the depositions of the plaintiff's physicians, including any deposition for proof and deposing a physician who conducts an IME, if an IME is conducted.

6. Counsel for the parties shall convene at telephone conference call with the Court on **February 27, 2013, at 1:00 p.m.**, to be initiated by defendant's counsel, to address whether all discovery, including medical depositions, any deposition for proof and any deposition of a physician who conducted an IME, has been completed, whether the parties have entered into stipulations referred to above, the potential for settlement, propriety of ADR, and any other appropriate matters.

It is so ORDERED.



JULIET GRIFFIN
United States Magistrate Judge